

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1-3 and 7 are rejected over the German document to Merkel '301 in view of Teindas '897.

Claims 5 and 9 are rejected under 35 U.S.C. 103(a) over German document to Merkel '301.

The abstract of the disclosure is objected to, the claims are objected to and rejected under 35 U.S.C. 112, and the claim for priority was not entered.

With the present Amendment applicants amended several claims as required by the Examiner.

It is therefore believed that claims 4, 6, 8 and 10 together with the amended claim 5, should be considered as being in allowable condition.

Also, a new abstract of the disclosure has been submitted, and the claims have been amended in formal aspects as required by the Examiner.

The Examiner rejected the claims over the art, in particular over the Merkel document taken singly or in view of the patent to Teindas.

In connection with this, applicants submit herewith a petition to claim priority from the prior application serial no. 09/284,399 filed on June 1, 1999 issued as U.S. patent no. 6,505,377. Since the application serial no. 09/284,399 is based on the priority application corresponding to the German patent document to Merkel, it is believed that the German patent document to Merkel can not be considered as a valid reference. Therefore, the Examiner's rejection of the original claims based on the German reference to Merkel should be considered as no longer tenable and should be withdrawn.

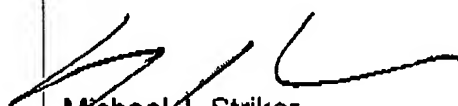
The patent to Teindas taken along does not teach the new features of the present invention as defined in claim 1 and in the claims which depend on it and share its features.

Therefore, it is respectfully submitted that claim 1, together with objected claims which depend on it, should also be considered as patentably distinguishing over the art and should also be allowed.

Reconsideration and allowance of the present application is most respectfully requested. Applicant confirms that it has attended to the filing of a Petition to accept delayed claiming of priority of which a copy is attached.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



Michael J. Striker
Attorney for Applicants
Reg. No. 27233

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.